

Appln. No. 10/721,987  
Amendment  
Reply to Office Action dated June 21, 2005

Docket No. 9660-4

**AMENDMENTS TO THE DRAWINGS**

New sheets of drawings are enclosed showing Figures 3 and 4. In new Figure 3, the supporting structure can be clearly seen, along with the inclination and the parallelism of heat source and grill bars. The subject matter of claim 5 has been detailed by this new Figure 3. New Figure 4 provides a clear appearance of the supporting structure of said brazier grill and heat source location with said inclination. No new matter is added.

Attachment: Two new sheets of drawings.

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### **REMARKS**

The foregoing amendments and these remarks are in response to the Office Action dated June 21, 2005. This amendment is timely filed.

At the time of the Office Action, claims 1-5 were pending. In the Office Action, objections were raised to the specification and drawings. Claims 1 and 4 were objected to for informalities. Claims 1-3 and 5 were rejected under 35 U.S.C. §03(a). The objections and rejections are discussed in more detail below.

#### **I. Objections to the Drawings**

New sheets of drawings are enclosed showing Figures 3 and 4. In new Figure 3, the supporting structure can be clearly seen, along with the inclination and the parallelism of heat source and grill bars. The subject matter of claim 5 has been detailed by this new Figure 3. New Figure 4 provides a clear appearance of the supporting structure of said brazier grill and heat source location with said inclination. No new matter is added.

#### **II. Objections to the Specification**

The specification was objected to for the informalities listed in the Office Action. The specification has been amended herein in accordance with the suggestions listed in the Office Action, and withdrawal of the objection is thus respectfully requested.

#### **III. Claim Objections**

Claims 1 and 4 were objected to for the informalities listed in the Office Action. Appropriate amendments are made herein, and withdrawal of the objection is thus respectfully requested.

#### **IV. Rejections to the claims based upon Art**

Claims 1-3 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,658,710 to Quet et al.

The Office Action asserts that it would have been obvious to one skilled in the art to use the claimed widths in the base of Quet et al. It is also asserted that discovering the ranges disclosed by

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the application involves only routine skill in the art. Applicant respectfully traverses this rejection.

Notably, applicant notes that whichever prior art techniques are used, the problems of flames and considerable smell caused by drops of fat falling into the heat source cannot be overcome. A brazier grill designed with a breadth of columns, especially the width of the bars (4) and width of the grill opening (6), in accordance with claim 1, has surprisingly shown that food can be grilled with an improved grilling quality and taste of the food compared with traditional grilling. The problems with traditional grilling stated by the prior art documents, especially in Quet et al, is that considerable smell and flames are generated that burn and affect the food during the grilling.

The present inventor has observed that the flames and considerable smell are caused by drops of fat with a size above a critical size. Exceeding the claimed breadth of columns allows the formation of such drops of fat. It has been found that, for example, when the distance of grill openings have a width of 11 mm, flames and considerable smell are always observed, but when they are arranged at, for example, 7 mm, the disturbing flames and smell do not come into existence. Using a brazier grill having grill opening width which exceeds the ranges stated by the claims always causes drops of fat with a radius of more than approximately 3 mm, the impact of which with the heat source cause the undesired flames and smell. Drops of fat smaller than the critical mass only give fine spread stains of small particles of fat above the heating source, such as a charcoal bed, which do not cause either considerable smell or flames.

As claimed in claim 2 of the present application, the optimal values for the distance of said openings of the grill bars are 4 mm to 8 mm. It is surprisingly seen that when the openings of grill bars are arranged to have a distance between said range, the occurrence of flames or considerable smell is nearly impossible.

The width of grill bars is another important aspect to obtain a good taste of the grilled food. If the grill bar width is more than 30 mm, food cannot be affected by the heat rays directly from the heat source. If the grill bar width is narrower than 15 mm, the grooves formed on the grill bars which catch some of the drops of fat have to be small and therefore flow of the drops away from the food would be harder.

In Quet et al, there is no information on the distance of columns or of the importance of the breadth of columns. In addition, there is no incline to the grill bars so as to prove flowing of the

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drops, as claimed in new claim 6. Thus, the present invention is in important aspects different from what is described in the prior art documents, and Quet et al. does not teach the claimed grilling device either on its own or in combination with any other prior art document.

The problem with flames and considerable smell generating when grilling is very old and no one has so far presented a satisfactory solution to the problem that eliminates the problem and at the same time allowing quality of grilled food to be retained. Grilling is something that has been done for a very long time. If the differentiating characteristics according to patent claim 1 are obvious, in relation to techniques which are known, as asserted by the examiner, the question arises as why no one has so far presented it. In relation to this background the present invention must be considered as extraordinarily surprising and is therefore believed nonobvious.


For the foregoing reasons, claim 1 is believed to relate to patentable subject matter, and to be in condition for allowance. The dependent claims are also believed allowable because of their dependence upon an allowable base claim and because of the further features recited.

**V. Conclusion**

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

Date: 9-21-05

  
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